

REMARKS/ARGUMENTS

Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this Amendment, claims 1-21, 23 and 24 will be pending.

The Examiner has rejected claims 20-24 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, regarding claim 20, the Examiner argues that it was unclear whether the index matching (coating) layer is formed on the surface of the first lens that contacts the adhesive layer or on the opposite surface. Applicant has amended claim 20 to clarify that the coating layer is formed *on* the first lens, and that the adhesive is *disposed between the coating layer and the second lens*. The rejection is deemed to be overcome by the amendment.

Regarding claim 22, the Examiner argues that it is unclear what specific degree of refractive index is needed to minimize reflection in the junction lens device. Claim 22 has been canceled. Claims 21, 23 and 24 depend from amended claim 20. Thus the rejection is believed to be overcome.

The Examiner has rejected claims 1-21 and 24 under 35 U.S.C. §103(a) as being unpatentable over the applicant's submitted prior art in view of Deguchi et al. The Examiner argues that the admitted prior art discloses joining a high refractive lens and a low refractive lens using an adhesive. The Examiner cites Deguchi et al. as teaching an antireflective layer between two layers of different refractive indexes.

Applicant has amended independent claims 1, 4, 6, 10, 13, 17 and 20 to more clearly recite the structure claimed in the present invention, and not taught or suggested by the admitted prior art or Deguchi et al. Specifically, the independent claims have been amended

to recite a specific orientation of the two joined lenses, the adhesive, and the coating layer, as well as a specific relationship of the respective refractive indices. Amended claim 1 is representative. It recites a junction lens device made by joining a first lens having a first refractive index and a second lens having a second refractive index using an adhesive having a third refractive index that is closer to the second refractive index than the first refractive index, wherein a coating layer for index matching is formed on a surface of the first lens, and wherein the adhesive is disposed between the coating layer and the second lens to reduce a reflection ration on a junction surface. None of the cited prior art teaches a junction lens device made by joining two *lenses* using an adhesive, and locating the adhesive between a coating layer formed on the first lens and the second lens. None of the cited prior art teaches selecting an adhesive having a refractive index closer to that of the second lens than the first lens, and selecting the refractive index of the coating layer to be between the refractive index of the adhesive and the refractive index of the second lens. Accordingly, reconsideration and allowance of claims 1-21 and 24 is respectfully requested.

With respect to claim 20, the Examiner argues that Deguchi teaches an antireflection layer between two *layers* of different refractive indices. The Examiner further argues that it would have been obvious to one of ordinary skill in the art to provide layers between the lenses so that the combination of lenses and layers are in either ascending or decending order of refractive index. Also, the Examiner argues that with only two layers between the lenses, there would only be a handful of choices and combinations of refractive indices available.

Applicants respectfully traverse this argument and the rejection. The Examiner is applying impermissible hindsight. At most the prior art discussed in the background of the present invention teaches joining two lenses with an adhesive, and Deguchi teaches placing

an antireflection layer between a lens having a high refractive index and a *hardening layer* having a low refractive index.

The Examiner has not provided any suggestion of motivation to combine the prior art cited in the background of the application with Deguchi in the manner suggested. More specifically, the Examiner improperly assumes that one faced with the problem of ghosts and flares caused by a high reflection ration in a junction lens device, where two *lenses* having different refractive indices are joined, would look to prior art that solves a problem of interference waves caused by hardening layers formed on lenses. As previously discussed, one of ordinary skill in the art would not look to hardening layer art that solves microscopic interference wave effects to solve a problem related to macroscopic junction lens devices and related effects. Furthermore, the Examiner's argument that only a handful of combinations of the *two layers formed between the two lenses* are possible improperly presumes that one of ordinary skill in the art would be informed of *the number of layers, and of which type each of the layers* should be. Reconsideration is requested.

With respect to claim 21, the Examiner argues that it would have been obvious to provide an adhesive having a refractive index substantially similar to the refractive index of either lens. However, the Examiner fails to cite any specific prior art reference providing the motivation for this "obvious" selection. The Examiner again appears to be using impermissible hindsight to suggest that it would have been obvious to select an adhesive having a refractive index substantially similar to either of the lenses, as opposed to any other possible refractive index. Reconsideration is requested.

With respect to claim 24, the Examiner suggests the lens device would be inherent from the manufacturing method described in claim 20. As discussed above, claim 20 has been

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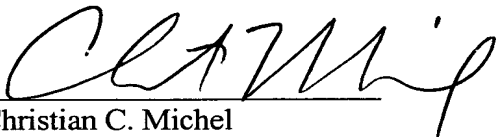
amended, and is believed to be patentable over the prior art. For the same reasons, claim 24 is also believed to be patentable. Notice to that effect is requested.

The Examiner responded to applicant's previous arguments suggesting that applicant argued features not claimed. The amendments to claims 1, 4, 6, 10, 13, 17 and 20 are intended to more clearly claim the features previously argued that the Examiner alleges were not claimed. Accordingly, applicants request reconsideration and allowance of the claims.

Claims 2, 3, 5, 7-9, 11, 14-16, 18, 19, 21 and 23 are dependent claims that were amended to be consistent with the amended independent claims from which they depend.

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully Submitted,

  
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